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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,920	07/17/2000	Masayuki Takahira	Q58735	8339

7590

07/02/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS
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EXAMINER

WU, JINGGE

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,920

Applicant(s)

TAKAHIRA, MASAYUKI

Examiner

Jingge Wu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 19-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-15 is/are allowed.
- 6) ☐ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The page 83 of the specification is received. Claims 1-26 are presented to prosecution.

Applicant's election without traverse of species III in paper No. 8 is acknowledged. Accordingly, Claims 1-18 are now presented for prosecution. Claims 19-26 are withdrawn from consideration (claim 19 has the limitations of determining a coincidence emphasis region---, which are not belong to fig. 3). Applicant is reminded to cancel withdrawn claims.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The

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disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in–

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6301383 to Ito et al.

As to claim 16, Ito discloses a method of compressing/extending a color reproducing space, comprising:

before the color reproducing space is compressed or extended such that the color reproducing space of a first image input/output device (monitor gamut) is transformed into the color reproducing space of a second image input/output device

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(printer gamut) having a different shape or size of the color reproducing space (fig. 13-14); and

correcting an edge shape a color gamut of said second image input/output device in according with an edge shape of a color gamut of said first image input/output device (fig. 14-16, col. 1-col. 2, fig. 4, 6, and 10 col. 6 –col. 8).

As to claim 18, Ito discloses a method of compressing/extending a color reproducing space, comprising:

when the color reproducing space is compressed or extended such that the color reproducing space of a first image input/output device (monitor gamut) is transformed into the color reproducing space of a second image input/output device (printer gamut) having a different shape or size of the color reproducing space (fig. 13-14);

providing an adjusting parameter of at least one of a hue, a chroma range and a lightness region for the purpose of adjusting the color reproducing space (col. 6 lines 1-65); and

adjusting at least one of corresponding a hue, the chroma range and the lightness region of the color reproducing space to transform into by compression or extension (fig. 6-7 col. 5-col. 8).

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Us 5317426 to Hoshino.

As to claim 17, Hoshino discloses a method of compressing/extending a color reproducing space comprising:

before the color reproducing space is compressed or extended such that the color reproducing space of a first image input/output device (monitor gamut) is transformed into the color reproducing space of a second image input/output device

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(printer gamut) having a different shape or size of the color reproducing space (fig. 14);
and

correcting a non-linear portion of an edge shape of a color gamut of said second image input/output device in according with an edge shape of a color gamut of said first image input/output device (fig. 13-19, col. 14, line 35-col. 15 line 61 note that $L^*=b_{xr}+c$ is linear function).

Allowable Subject Matter

Claim 1 is allowed. Claims 2-15 depend from claim 1 are, therefore, allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5933253 to Ito et al., US 5991511 to Granger, US 6151136 to Takemoto, US 5937089 to Kobayyashi and US 6437792 to Ito et al.. discloses a method for obtaining object data to reconstruct the original image.

Contact Information

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Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

